

DOCKET FILE COPY ORIGINAL
BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

ORIGINAL
RECEIVED

JUN 21 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

Amendment of Section 73.202(b),
Table of Allotments,
FM Broadcast Stations.

(Victor, Drummond, Montana)

)
)
)
)
)
)

MM Docket No. 99-134
RM-9543, RM-9572

Directed to: Chief, Allocations Branch

COMMENTS ON PROPOSED RULE MAKING

These comments are filed in support of the Notice of Proposed Rule Making, MM Docket No. 99-134, RM-9543, by Mountain West Broadcasting ("MWB"), the petitioner in this matter. The facts and comments submitted in the original petition are hereby re-submitted by reference.

The Commission has a rule making petition, RM-9572, that is mutually exclusive to the allotment for Victor, Montana filed by the Battani Corporation. It proposes to allot channel 268C to Drummond, Montana. MWB prefers the allotment of channel 269C3 to Victor, Montana. Victor is a larger community than Drummond, 500 persons verses 264 persons, respectively. While MWB feels that the community of Victor, Montana is the preferred community for allotment, it has no opposition to the allotment of channel 268C to Drummond, Montana.


No. of Copies rec'd
List A B C D E

074

The petitioner would also like to re-submit its intent that it will file an application for Construction Permit to operate a new station for Victor, Montana, during any window filing period or its intent to participate in auction process the Commission may conduct for this channel. Mountain West Broadcasting would also expeditiously construct the station should his application be granted.

WHEREFORE, it is respectfully requested that the proposed change to the FM Table of Allotments be adopted, and the Commission allot Channel 269C3 at Victor, Montana.

Respectfully submitted,



Victor A. Michael, Jr.
President
Mountain West Broadcasting
6807 Foxglove Drive
Cheyenne, Wyoming 82009
(307)778-9318

DATE: June 19, 1999

CERTIFICATE OF SERVICE

I, Millie Adams, in the law offices of Gammon & Grange, P.C., hereby certify that I have sent this 21st day of June 1999, by first-class, postage prepaid, U.S. Mail, copies of the foregoing COMMENTS ON PROPOSED RULE MAKING to the following:

Robert Lewis Thompson, Esq.
Taylor Thiemann & Aitken, L.C.
908 King Street, Suite 300
Alexandria, VA 22314
(Counsel for Bannani Corporation)



Millie Adams

[K:\0524\SERV3.AWF]